

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA :

vs. : **CRIMINAL NO. 07-00219-WS**

LILIAN GUTIERREZ :

ORDER

This cause is before the Court on the Magistrate's Report and Recommendation regarding Defendant's Motion to Dismiss Indictment (Doc. 16); Defendant's Motion to Withdraw Pending Motions (Doc. 40); and Defendant's Notice of Intent to Plead Guilty and Unopposed Motion for Expedited Sentencing Hearing (Doc. 41).

Upon due consideration, Defendant's motion to withdraw is **DENIED**.

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) on October 30, 2007 is **ADOPTED** as the opinion of this Court. Therefore, Defendant's motion to dismiss is hereby **DENIED**.

A change of plea hearing is hereby **SCHEDULED** for **10:30 a.m.** on **Friday, November 30, 2007**, in Courtroom 2A, United States Courthouse, Mobile, Alabama. The United States Marshal is hereby **ORDERED** to have Defendant present for said hearing.

The Clerk of Court is requested to make all necessary arrangements to have an interpreter available for the hearing.

Defendant's unopposed motion for expedited sentencing is hereby **GRANTED IN PART**. A sentencing hearing will be scheduled once the Court receives notice from the U. S.

Probation Office that an abbreviated presentence investigation report is complete.

DONE and **ORDERED** this 28th day of November, 2007.

s/WILLIAM H. STEELE
UNITED STATES DISTRICT JUDGE